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EXAMINER
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2697	5

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☐ Claim(s) _____ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-13,16-18,20 and 22-24_ is/are rejected.

7) ☒ Claim(s) _14,15,19 and 21_ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA

35 U.S.C. 102(e)).

Claims 1-3, 8-9, 12-13 rejected under 35 U.S.C. 102(e) as being anticipated by Cortson

et al. (US Patent 6,112,168) hereinafter referenced to as Cortson.

Regarding **claim 1,** Cortson teaches: A method for teaching expository writing

comprising:

Selecting a theory of discourse analysis for teaching writing (col. 1, lines 49-52);

Segmenting a text into at least one text building units based on the selected theory of

discourse (col. 1, lines 25-30);

Analyzing each text building unit according to the selected theory of discourse (col. 1,

lines 42-52).

Regarding **claim 2,** Cortson teaches the method of **claim 1,** wherein the at least one text building units are combined into a structural representation of discourse consistent with the selected theory of discourse (col. 1, lines 25-31).

Regarding **claim 3,** Cortson teaches the method of **claim 2,** wherein the selected theory of discourse analysis is selected from the list of at least Discourse Structures Theory, Linguistic Discourse Model, Rhetorical Structure Theory, Systemic Functional Grammar and Tagmemics (col. 1, lines 20-24 and col. 4, lines 56-62).

Regarding **claim 8,** Cortson teaches the method of **claim 1,** further comprising, generating a summary of text based on the selected theory of discourse (col. 4, lines 22-26).

Regarding **claim 9,** Cortson teaches the method of **claim 8,** further comprising, determining coverage of user designated important concepts (col. 4, lines 61-64).

Regarding **claim 12,** Cortson teaches the method of **claim 1,** wherein segmenting is performed automatically (col. 4, lines 17-19 and col. 4, lines 27-29).

Regarding **claim 13,** Cortson teaches the method of **claim 1,** wherein the analysis is performed automatically (col. 4, lines 17-19 and col. 7, lines 9- 41).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 4-6, 10-11, 16-18, 20 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cortson in view of Takeshita et al. (US Patent 5,642,520), hereinafter referred to as Takeshita.

Regarding **claim 4,** Cortson teaches everything as disclosed in **claim 1.** Cortson further discloses a segmented text (col 7, lines 13-15), however Cortson does not teach displaying the segmented text. Takeshita's method and apparatus for recognizing topic structure of language data discloses a display (col. 6, lines 45-46 and Fig. 2, item 215) for indicating the result of the processes. Therefore, at the time of the invention it would have been obvious to one of ordinary skill in the art, to combine Cortson's automatically recognizing the discourse structure of a body text with Takeshita's method and apparatus to have a method that would display segmented text.

Regarding **claim 5,** Cortson teaches everything as disclosed in **claim 1.** Cortson further discloses analyzed text (col , lines), however Cortson does not teach displaying the analyzed text. Takeshita's method and apparatus for recognizing topic structure of language data discloses a display (col. 6, lines 45-46 and Fig. 2, item 215) for indicating the result of the processes. Therefore, at the time of the invention it would have been obvious to one of ordinary skill in the art, to combine Cortson's automatically recognizing the discourse structure of a body text with Takeshita's method and apparatus to have a method that would display analyzed text.

Regarding **claim 6,** Cortson teaches everything as disclosed in **claim 2.** Cortson further discloses the structural representation of discourse (col. 4, lines 19-22), however Cortson does not teach displaying the structural representation of discourse. Takeshita's method and apparatus for recognizing topic structure of language data discloses a display (col. 6, lines 45-46 and Fig. 2, item 215) for indicating the result of the processes. Therefore, at the time of the invention it

would have been obvious to one of ordinary skill in the art, to combine Cortson's automatically

recognizing the discourse structure of a body text with Takeshita's method and apparatus to have

a method that would display the structural representation of discourse .

Regarding **claim 7,** Cortson discloses the method of **claim 1,** however Cortson does not

disclose a user identifying important concepts in the text. Takeshita further discloses a method

comprising, identifying user designated important concepts in the text (col. 8, llines 29-31).

Therefore it would have been obvious to one of ordinary skill in the art to modify Cortson's

automatically recognizing the discourse structure of a body text with Takeshita's method and

apparatus to have a method where the user could identify important text.

Regarding **claim 10,** Cortson teaches all of the method of **claim 9,** he further discloses a

summary (col. 7, lines 37-40), however Cortson does not disclose wherein determining coverage

compares user designated concepts to the summary. Takeshita discloses wherein determining

coverage compares user designated concepts to the summary (col. 3, lines 29-35). Therefore it

would have been obvious to one of ordinary skill in the art to integrate Cortson and Takeshita's

methods to compare summary and user designated concepts.

Regarding **claim 11,** Cortson discloses the method of **claim 3,** wherein the structural

representation of discourse is a tree (col. 4, lines 27-29), and wherein the segmenting is

performed automatically (col. 4, lines 31-32), however Cortson does not teach wherein the

structural representation is displayed. However, Takeshita's method and apparatus for

recognizing topic structure of language data discloses a display (col. 6, lines 45-46 and Fig. 2,

item 215) for indicating the result of the processes. Therefore, at the time of the invention it

would have been obvious to one of ordinary skill in the art, to combine Cortson's automatically

recognizing the discourse structure of a body text with Takeshita's method and apparatus to have

a method that would display the structural representation of discourse.

Regarding **claim 16,** Takeshita teaches a system for teaching expository writing

comprising:

An input device (col. 6, lines 42-44 and Fig. 2, item 201);

A display device (col. 6, lines 45-46 and Fig. 2, item 215);

A memory (col. 6, line 61 to col. 7, line 4 and Fig. 2, items 270, 280, 290, 300, 301, 302,

and 303);

A segmenting circuit (Fig. 1, item 122);

An analyzing circuit (col. 6, lines 33-39 and Fig. 1, item 130 and 140); however

Takeshita does not disclose a controller selecting theory of discourse, segmenting text and

analyzing at least one text building unit. Cortson discloses a controller that selects a theory of

discourse from the input device (col. 4, lines 27-28), segments a text received from the memory

to create at least one text building unit according to the selected theory of discourse (col. 1, lines

25-30), analyzes the at least one text building unit according to the selected theory of discourse

and displays the text building units (col. 1, lines 42-52).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Takeshita's method and apparatus for recognizing topic structure of

language data with Cortson's automatically recognizing the discourse structure of a body text to

develop a system for teaching expository writing comprising the elements listed in the claim.

Regarding **claim 17,** Takeshita and Cortson disclose the system of **claim 16,** Cortson discloses further, a system comprising a reviewing circuit that reviews the analyzed text building units for consistency with the selected theory of discourse (col. 1, lines 42-52).

Regarding **claim 18,** Takeshita and Cortson disclose the system of **claim 16,** Cortson discloses further, a system comprising a structural representation building circuit to create a structural representation of the text building units according to the selected theory of discourse (col. 4, lines 16-42).

Regarding **claim 20,** Takeshita and Cortson discloses the system of **claim 16,** however, Cortson further discloses a system comprising a summary generating circuit that generates a summary based on the selected theory of discourse (col. 4, lines 22-26).

Regarding **claim 22,** Takeshita and Cortson discloses the system of **claim 20,** however Takeshita discloses further a system comprising a concept comparator circuit (col. 31, lines 29-35).

Regarding **claim 23,** Takeshita and Cortson disclose the system of **claim 22,** Takeshita further discloses a system wherein the concept comparator circuit provides a ratio of words from the user designated important concepts that are identified in the summary (col. 31, lines 36-44).

Regarding **claim 24,** , Takeshita and Cortson disclose the system of **claim 18,** however Cortson discloses further a system wherein the structural representation is a tree structure (col. 4, lines 27-29).

Allowable Subject Matter

Claims 14, 15, 19, and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding **claim 14 and 21**, at the present time the examiner fails to find any prior art that will

support for each child node that is a subordination node; assigning to the subordination node, the rank of the parent.

Regarding **claims 15 and 19**, at the present time the examiner fails to find any prior art that will support the limitations set forth in the claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TREFFANEY R LOWE whose telephone number is 703-305-5593. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JEFFERY HOFFSASS can be reached on 703-305-4717. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-9430 for regular communications and 703-746-9430 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

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February 18, 2003

Richemond Dorvil
Primary Examiner